

1636



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sean A. McCarthy  
Application No.: 09/009,802 Group Art Unit: 1636  
Filed: January 20, 1998 Examiner: David Guzo  
Confirmation No.: 7895  
Title: NOVEL CRSP-2 PROTEIN MOLECULES AND USES THEREFOR (As amended)

CERTIFICATE OF MAILING OR TRANSMISSION	
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
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Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

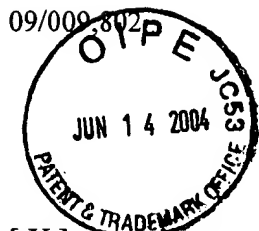
Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
  - ☒ Copies of the cited references AL2-AQ2, AL3-AQ3 and AU are enclosed.
    - ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
  - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
  - ☒ Reference AU was cited in the enclosed European Search Report in a related foreign application.
  - ☒ The "concise explanation" requirement (non-English references) for reference AN2 under 37 CFR 1.98(a)(3) is satisfied by:
    - ☐ the explanation provided on the attached sheet.
    - ☐ the explanation provided in the Specification.
    - ☐ submission of the enclosed International Search Report.
    - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
    - ☒ the English language abstract on the cover page of the document.



[ X ] Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_\_ U.S. Patent Application No. 09/972,473, by Sean A. McCarthy, filed October 4, 2001,  
Docket No.: 1855.2067-003

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

[ X ] A copy of each above-cited application, including the current claims, is enclosed.

[ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

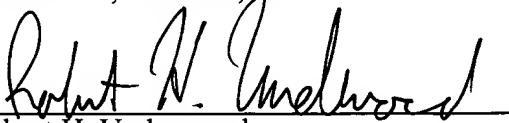
[ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

[ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

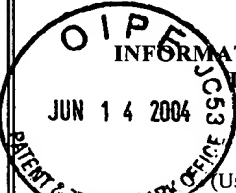
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Dated:

June 11, 2004

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. MNI-108 (1855.2067-000)		APPLICATION NO. 09/009,802	
 <p><b>SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b></p> <p>June 11, 2004</p> <p>(Use several sheets if necessary)</p>		FIRST NAMED INVENTOR Sean A. McCarthy		FILING DATE January 20, 1998	
		EXAMINER David Guzo		CONFIRMATION NO. 7895	

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION *YES NO	
	AL2	WO 01/04311 A1	01-18-2001	Genentech, Inc.		
	AM2	WO 01/16318 A2	03-08-2001	Genentech, Inc.		
	AN2	WO 01/38528 A1	05-31-2001	Hisamitsu Pharmaceutical Co., Inc.		X
	AQ2	WO 99/46281	09-16-1999	Genentech, Inc.		
	AP2	WO 01/40466 A2	06-07-2001	Genentech, Inc.		
	AQ2	WO 01/57190 A2	08-09-2001	Hyseq, Inc.		
	AL3	WO 01/57190 A2	08-09-2001	Hyseq, Inc.		
	AM3	WO 00/12708	03-09-2000	Genentech, Inc.		
	AN3	WO 00/78961 A1	12-28-2000	Genentech, Inc.		
	AQ3	WO 01/68848 A2	09-20-2001	Genentech, Inc.		
	AL3	WO 01/54477 A2	08-02-2001	Hyseq, Inc.		
	AQ3	WO 00/53756	09-14-2000	Genentech, Inc.		

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AU	Tate, G., <i>et al.</i> , "Human Dickkopf as well as DAN Family Members, Cerberus and Gremlin, are preferentially Expressed in Epithelial Malignant Cell Lines," <i>J. Biochem. Mol. Biol. &amp; Biophys.</i> , 3:239-242 (1999).

EXAMINER	DATE CONSIDERED
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